

**JOINT LEGISLATIVE
EDUCATION OVERSIGHT COMMITTEE**



***REPORT TO THE
2001 GENERAL ASSEMBLY
OF NORTH CAROLINA***

2001 REGULAR SESSION

**JOINT LEGISLATIVE
EDUCATION OVERSIGHT COMMITTEE**



***REPORT TO THE
2001 GENERAL ASSEMBLY
OF NORTH CAROLINA***

2001 REGULAR SESSION

A LIMITED NUMBER OF COPIES OF THIS REPORT IS AVAILABLE FOR
DISTRIBUTION THROUGH THE LEGISLATIVE LIBRARY.

ROOMS 2126, 2226
STATE LEGISLATIVE BUILDING
RALEIGH, NORTH CAROLINA 27611
TELEPHONE: (919) 733-7778

OR

ROOM 500
LEGISLATIVE OFFICE BUILDING
RALEIGH, NORTH CAROLINA 27603-5925
TELEPHONE: (919) 733-9390

TABLE OF CONTENTS

LETTER OF TRANSMITTAL.....	i
COMMITTEE MEMBERSHIP.....	ii
COMMITTEE PROCEEDINGS.....	1
COMMITTEE RECOMMENDATIONS.....	7
ARTICLE 12H OF CHAPTER 120 OF GENERAL STATUTES.....	9
LEGISLATIVE PROPOSAL I – A BILL TO BE ENTITLED AN ACT TO ENACT THE RECOMMENDATIONS OF THE STATE BOARD OF EDUCATION TO REVISE CERTAIN PROVISIONS RELATED TO THE ABC'S PLAN FOR PUBLIC EDUCATION.....	11

STATE OF NORTH CAROLINA

JOINT LEGISLATIVE EDUCATION OVERSIGHT COMMITTEE

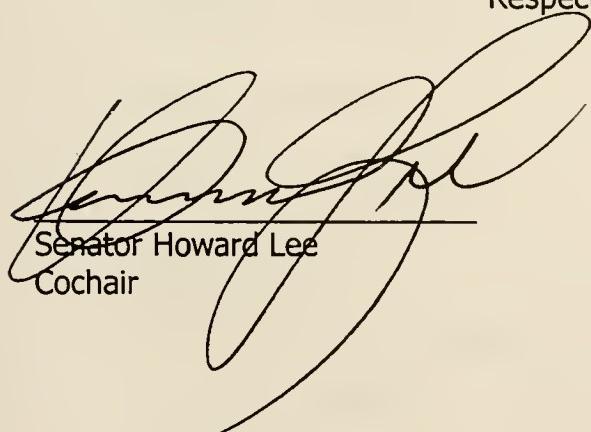


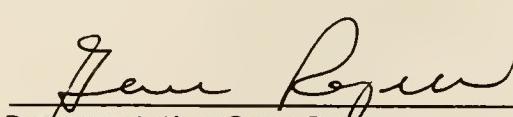
January 16, 2001

TO THE MEMBERS OF THE 2001 GENERAL ASSEMBLY (REGULAR SESSION 2001):

Attached for your consideration is the report to the 2001 General Assembly (Regular Session 2001). This report was prepared by the Joint Legislative Education Oversight Committee pursuant to G.S. 120-70.81.

Respectfully submitted,


Senator Howard Lee
Cochair


Representative Gene Rogers
Cochair

**JOINT LEGISLATIVE EDUCATION OVERSIGHT COMMITTEE
1999-2000**

COMMITTEE MEMBERSHIP

Senator Howard Lee, Co-Chair
406 Legislative Office Bldg.
Raleigh, NC 27601-2808
(919) 715-3030 (919) 715-7586(F)

Senator Charles Carter
P.O. Box 131
Asheville, NC 28802
(828) 252-6831

Senator Walter H. Dalton
560 N. Main Street
Rutherfordton, NC 28139
(828) 287-2908 (828) 287-9101(F)

Senator Charlie S. Dannelly
3167 Dawnshire Avenue
Charlotte, NC 28216
(704) 392-1227 (704) 399-4037(F)

Senator John A. Garwood
453 Mark Lane
North Wilkesboro, NC 28659
(336) 838-5378 (336) 838-9464(F)

Senator Fletcher L. Hartsell
P.O. Box 368
Concord, NC 28026-0368
(704) 786-5161 (704) 788-8058(F)

Senator Jeanne H. Lucas
P.O. Box 3366
Durham, NC 27702
(919) 682-0217 (919) 683-1792(F)

Senator William N. Martin
P.O. Box 21325
Greensboro, NC 27420-1325
(336) 373-1530 (336) 373-1530(F)

Senator Eric Reeves
P.O. Box 510
Raleigh, NC 27602
(919) 828-0801 (919) 828-0804(F)

Senator Robert A. Rucho
400 Trafalgar Place
Matthews, NC 28105
(704) 847-3461 (704) 847-1336(F)

Representative R. Eugene Rogers, Co-Chair
908 Woodlawn Drive
Williamston, NC 27892
(252) 792-4245

Representative Flossie Boyd-McIntyre
217 Cloverbrook Drive
Jamestown, NC 27282
(336) 841-6220

Representative Charles F. Buchanan
2919 Poplar Creek Road
Green Mountain, NC 28740
(828) 688-3544

Representative Verla C. Insko
610 Surry Road
Chapel Hill, NC 27514
(919) 929-6115

Representative Leonard Sossaman
830 Courtney Street, SE
Concord, NC 28025
(704) 786-4271

Representative Warren C. Oldham
3211 Cumberland Road
Winston-Salem, NC 27105
(336) 767-6936

Representative Jean Preston
211 Pompano Drive
Emerald Isle, NC 28594
(252) 354-6993

Representative Alex Warner
212 S. Main Street
Hope Mills, NC 28348
(910) 424-5350

Representative Stephen Wood
P.O. Box 5172
High Point, NC 27262
(336) 883-9663

Representative Douglas Y. Yongue
604 Prince Street
Laurinburg, NC 28352
(910) 276-1727

Non-voting Members

Senator Linda Garrou
3910 Camerille Farm Road
Winston-Salem, NC 27106
(336) 922-4192

Senator Kay R. Hagan
305 Meadowbrook Terrace
Greensboro, NC 27408
(336) 379-8721

Senator Allen H. Wellons
609 Habcock Street
Smithfield, NC 27577
(919) 934-0553

Representative Donald A. Bonner
P.O. Box 718
Rowland, NC 28383
(910) 422-3402

Representative Maggie Jeffus
1801 Rolling Road
Greensboro, NC 27403
(336) 275-4762

Representative Marian McLawhorn
P.O. Box 399
Grifton, NC 28530
(252) 524-3113

Representative Edith Warren
P.O. Box 448
Farmville, NC 27828
(252) 753-4198

RESEARCH STAFF

Robin Johnson
Kory Goldsmith
Shirley Iorio
Sara Kamprath

FISCAL STAFF

Charlotte Todd – Universities
Jim Newlin – Public Schools
Philip Price – Public Schools
Mona Moon – Community Colleges

Christina K. Minard
Education Committee Assistant

COMMITTEE PROCEEDINGS

The Joint Legislative Education Oversight Committee held 8 meetings. The Safe Schools Subcommittee and the Personnel/Teacher Issues Subcommittee each held one meeting.

Full Joint Legislative Education Oversight Committee Meetings

August 29, 2000

- **OVERVIEW OF 2000 SUBSTANTIVE LEGISLATION AND APPROPRIATIONS**
Dr. Shirley Iorio, Committee Education Specialist
- **NEED FOR AN EXCELLENT UNIVERSITIES AND COMMUNITY COLLEGES ACT**
Highlights of SREB and National Findings
Ms. Sara Kamprath, Committee Policy Analyst
The University of North Carolina
Dr. Gretchen Bataille, Senior Vice President for Academic Affairs
Mr. Jeffrey R. Davies, Vice President for Finance
Chancellor James H. Woodward, UNC-Charlotte
The Community Colleges
Dr. Steve Scott, Executive Vice President, NCCCS
Mr. Kennon Briggs, Vice President, NCCCS
Dr. Bill Lewis, President, Isothermal Community College
- **STATUS OF GIFTED EDUCATION IN NORTH CAROLINA**
Ms. Robin Johnson, Committee Counsel
Mr. David Mills, Chief, Areas of Exceptionality, DPI
Ms. Valerie Hargett, Consultant, AG, DPI
- **CHALLENGES FACING LEAs WITH STUDENTS WHO ARE LIMITED IN ENGLISH LANGUAGE PROFICIENCY**
Ms. Robin Johnson, Committee Counsel
Ms. Linda Higgins, Director of Special Programs, Lee County Schools
Dr. Tim Hart, ESL Senior Administrator, Wake County Public School System

August 30, 2000

- **INTRODUCTION OF ABC's PRESENTATIONS**
Ms. Robin Johnson, Committee Counsel
- **HIGHLIGHTS OF RECENT ABC's REPORT**
Dr. Henry Johnson, Associate Superintendent of Instructional & Accountability Services

➤ **WHERE ARE WE GOING WITH ACCOUNTABILITY?**

NC School Boards Association, Ms. Leanne Winner

NC School Administrators Association, Ms. Jan Crofts, Executive Director

NC Public School Forum, Mr. John Dornan, Executive Director

NC Association of Educators, Ms. Joyce Elliott, President

NC American Federation of Teachers, Ms. Amy VanOostrum

NC Education and Law Project, Mr. Greg Malhoit or Ms. Yvonne Perry

➤ **ABC'S ISSUES/CONCERNS**

Possible ABC's Modifications

Dr. Henry Johnson, Associate Superintendent of Instructional & Accountability Services

Accountability Issues

Mr. Lou Fabrizio, Director, Division of Accountability, DPI

School Assistance Issues

Ms. Elsie Leak, Director, Division of School Improvement, DPI

September 26, 2000

➤ **STATE BOARD OF EDUCATION RECOMMENDATIONS**

Dr. Mike Ward, Superintendent

➤ **EDUCATION CABINET STUDY OF HIGH SCHOOL PROGRAMS**

Ms. Robin Johnson, Committee Counsel

Ms. Lynda McCulloch, Senior Education Advisor to the Governor

Dr. Charles Thompson, Executive Director, NC Education Research Council

➤ **FIRST IN AMERICA**

Ms. Lynda McCulloch, Senior Education Advisor to the Governor

Dr. Charles Thompson, Executive Director, NC Education Research Council

➤ **SUPPORT PERSONNEL**

Mr. Jim Newlin, Fiscal Analyst, NCGA

School Social Workers

Ms. Myrna Miller, MSW/JD, Director of Government Relations

National Association of Social Workers, NC Chapter

School Nurses

Ms. Marilyn Asay, NC Nurses Association

School Counselors

Ms. Audrey Thomasson, President, NC School Counselor Association

Mr. Eric Sparks, President Elect, NC School Counselor Association

➤ **IHE PERFORMANCE REPORT/REWARDS AND SANCTIONS**

Dr. Shirley Iorio, Committee Education Specialist

Dr. Kathy Sullivan, Director, Human Resource Management, DPI

Dr. Charles Coble, Vice-President for University-School Programs, UNC

Mr. Tim McDowell, NC Independent Colleges and Universities

September 27, 2000

➤ **HOT TOPICS IN EDUCATION**

Ms. Kathy Christie, Director of Information Clearinghouse, Education Commission of the States

➤ **SCHOOL LEADERSHIP INITIATIVES: WHAT HAVE WE DONE, WHERE ARE WE NOW, AND WHERE DO WE GO?**

Historical Overview

Ms. Kory Goldsmith, Committee Counsel

Supply and Demand Information

Dr. Gary Barnes, Vice President for Program Assessment & Public Service, UNC-GA Preservice Training

Master of School Administration Programs

Dr. Henry Peel, Wachovia Distinguished Professor, ECU Master of School Administration Program

North Carolina Principal Fellows Program

Ms. Karen Geringer, Director, N.C. Principal Fellows Program

School Administrators' Licensure/Demographics of Principals

Ms. Linda Stevens, Executive Director, N.C. Standards Board for School Administration

Principals' Salary and Performance Compensation

Mr. Philip Price, Fiscal Analyst, NCGA

In-Service Training

Mr. Ken Jenkins, Executive Director

Ms. Linda Suggs, Director of Professional Development/Personnel Support, NC Association of School Administrators

➤ **PANEL OF SCHOOL ADMINISTRATORS**

Ms. Gail Edmonston (Principal of the Year), Snow Hill Primary (PK-02), Green County

Mr. Richard Watts, Kimberly Park Elementary (K-5), Winston-Salem/Forsyth County

Dr. Linda Bost, Davie High School (9-12), Davie County

Ms. Suzie Eckland, North Chatham Elementary (K-8), Chatham County

Mr. Rob Gasparello, Hunter Elementary (PK-5), Guilford County

Ms. Myra Holloway, R. Max Abbott Middle (6-8), Cumberland County

December 18, 2000

➤ **IHE PERFORMANCE REPORT/REWARDS AND SANCTIONS**

Dr. Shirley Iorio, Education Specialist

Dr. Kathy Sullivan, Director, Human Resource Management, DPI

Dr. Charles Coble, Vice-President for University-School Programs, UNC

Mr. Tim McDowell, NC Independent Colleges and Universities

- **UNC ENROLLMENT PLANNING**
Ms. Kory Goldsmith, Committee Counsel
Dr. Judith Pulley, Vice President for Planning, UNC-GA
Harold Martin, Chancellor, Winston-Salem State University
John W. Bardo, Chancellor, Western Carolina University
- **INTERNATIONAL GLOBAL STUDIES**
Ms. Kory Goldsmith, Committee Counsel
Overview of UNC International Programs
Dr. Gretchen Bataille, Senior Vice-President for Academic Affairs
Student Exchange Program
Dr. Judith Pulley, Vice President for Planning, UNC-GA
Collaborative Research
Dr. Russ Lea, Interim Associate Vice-President for Research
N.C. Center for International Understanding
Millie Ravenel, Director
Center for International Studies, UNC-CH
Dr. James Peacock, Director, Kenan Professor of Anthropology
World View
Dr. James Lea, Chair, Board of Directors
North Carolina Global Partnership Schools Consortium
Dr. Don Spence, Director

December 19, 2000

- **COMMUNITY COLLEGES EXPANSION BUDGET REQUESTS**
President H. Martin Lancaster, NC Community Colleges System
- **SALARY STUDIES FOR COMMUNITY COLLEGE FACULTY, STAFF AND PRESIDENTS**
Ms. Sara Kamprath, Education Policy Analyst
Mr. Kennon Briggs, Vice President for Business and Finance, NCCCS
Dr. Kent Caruthers, Senior Partner, MGT of America, Inc.
- **COMMUNITY COLLEGE SUMMER TERM FUNDING RESULTS**
Ms. Sara Kamprath, Education Policy Analyst
Mr. Kennon Briggs, Vice President for Business and Finance, NCCCS
President K. Ray Bailey, Asheville-Buncombe Technical Community College,
President of the NC Association of Community College Presidents
- **DISTANCE EDUCATION/COMMUNITY COLLEGES**
Ms. Sara Kamprath, Education Policy Analyst
Dr. Brenda Rogers, Vice President for Administration

➤ **MIDDLE SCHOOLS – STUDENT ACHIEVEMENT AND TEACHER QUALITY**

Ms. Sara Kamprath, Education Policy Analyst

Ms. Sondra Cooney, Director, *Making Middle Grades Matter*, SREB

Dr. Kathy Sullivan, Director, Human Resource Management, DPI

➤ **CLOSING THE ACHIEVEMENT GAP**

Senator Bill Martin, Cochair, Legislative Commission on Improving the Academic Achievement of Minority and At-Risk Students

➤ **EXCLUSIVE BIDDING CONTRACTS**

Ms. Kory Goldsmith, Committee Counsel

Mr. Richard H. Carlton, Attorney, Carlton & Alexander

Nancy Shorey, National Schools Sales Manager, Veryfine Products, Inc.

Terri Dennis, Executive Vice President, Dennis Foods

Jerry Smith, President, Le Bleu Corporation

Ms. Allison Schaffer, Counsel, North Carolina School Boards Association

December 20, 2000

➤ **2ND GRADE TESTING PILOTS**

Ms. Sara Kamprath, Education Policy Analyst

Dr. Henry Johnson, Associate Superintendent, Instructional & Accountability Services, DPI

Mr. Lou Fabrizio, Director, Accountability Section, DPI

➤ **TEACHER ASSISTANT SALARIES**

Ms. Kory Goldsmith, Committee Counsel

Mr. Hank Hurd, Associate Superintendent, Financial & Business Services, DPI

Jennifer Bennett, Director, School Business

➤ **NATIONAL BOARD FOR PROFESSIONAL TEACHING STANDARDS STUDY**

Mr. Philip Price, Fiscal Analyst

Dr. Lloyd Bond, Professor, UNC-Greensboro

January 16, 2001

➤ **EARLY IMPLEMENTATION OF STUDENT PROMOTION STANDARDS**

Ms. Robin Johnson, Committee Counsel

Dr. Henry Johnson, Associate Superintendent for Instructional & Accountability Services, DPI

Dr. Larry Price, Superintendent, Wilson County Schools

Dr. Richard Jones, Superintendent, Watauga County Schools

- **COST OF PROJECTED ENROLLMENT INCREASES ON FACULTY SALARIES**
Ms. Sara Kamprath, Education Policy Analyst
Dr. Gretchen Bataille, Senior Vice-President for Academic Affairs, The University of NC
Mr. Kennon Briggs, Vice President for Business and Finance, NC Community College System
- **RESEARCH REGARDING EDUCATION OF STUDENTS WITH DISABILITIES**
Mike McLaughlin, Editor, North Carolina Insight Magazine
North Carolina Center for Public Policy Research
- **MODEL TEACHER CONSORTIUM/TEACHER ASSISTANTS**
Jean Murphy, Executive Director
- **REPORT ON PROGRAMS FOR HIGH SCHOOL STUDENTS OFFERED BY PUBLIC SCHOOLS, COMMUNITY COLLEGES, AND UNIVERSITIES**
Ms. Sara Kamprath, Education Policy Analyst
Dr. Charles Thompson, Executive Director, NC Education Research Council

COMMITTEE DISCUSSION OF PROPOSED RECOMMENDATIONS

Instructional Support

The Committee reviewed staffing patterns and needs for professional support positions for public schools. In presentations on school nurses, guidance counselors, and school social workers, the Committee heard from professional groups that staffing levels are inadequate, and that additional staffing would improve student outcomes.

The Committee also noted that all of these positions are funded from a categorical allotment entitled “ Instructional Support.” The State provides one guaranteed position (the State pays the salary and benefits for the person employed) for each 200.1 students in the school system. The local education agency (LEA) then determines which types of professionals to hire and how to allocate them among the schools.

To recommend hiring more guidance counselors or more school nurses would have the effect of reducing the LEAs’ flexibility to choose and allocate resources to meet their specific needs. Therefore, the Committee recommends that the General Assembly consider the need for more instructional support personnel and increase the positions allotted for that category if funds are available. The General Assembly should determine if these additional resources should be allocated on the same per pupil basis as current practice, or if any additional positions should be targeted to LEAs with higher proportions of students who are eligible for free or reduced lunch, who have significant health needs, or students who score below Level III on end-of-course or end-of-grade tests.

Higher Education Faculty Salaries

In response to S.L. 2000-67, Sec. 10.5, the Committee studied the need for an “Excellent Universities and Community Colleges Act” that would address the need and ability of The University of North Carolina and the North Carolina Community College System to attract and retain excellent faculty. During its deliberations, the Committee considered studies and information provided by both the Board of Governors and the State Board of Community Colleges. These studies looked at the average compensation for higher education faculty and compared it to peer institutions regionally and nationally. Based upon this information, it appears that, as a system, The University of North Carolina ranks in the top quartile nationally in terms of faculty salaries. It also appears that, as a system, North Carolina community colleges rank very near the bottom nationally in terms of faculty salaries.

Although the information considered by the Committee was extensive, many issues remain. The Committee notes that The Excellent Schools Act for public education required increased standards and accountability for teachers as part of an overall plan for increasing compensation. The Committee believes that before it can make specific recommendations regarding an Excellent Universities and Community Colleges Act, it must be satisfied that additional standards and accountability procedures are developed at a local and State level that will provide for consistent resource allocation and implementation of any initiatives. For these

reasons, the Committee believes the issues should continue to be a topic of discussion and study by the Education Appropriations sub-committees and that those discussions focus on providing a balance between additional resources and accountability.

Teacher Assistants

Pursuant to S.L. 2000-67, Sec. 8.13A.(c), the Committee received from the State Board of Education several possible salary schedules for teacher assistants. This information included estimated costs of implementation and also outlined issues related to consistent State-wide implementation, local flexibility in using teacher assistant resources, and administrative burdens. Many of these issues remain unresolved.

The Committee remains committed to find ways to enhance the teacher assistant experience in this State. In this endeavor, the Committee believes that there must be clear standards and expectations for teacher assistants as well as avenues to allow teacher assistants to increase their earning potential. To this end, the Committee will continue to explore programs and avenues that are consistent with these goals, while maintaining local flexibility in the use of fiscal resources.

ARTICLE 12H.
Joint Legislative Education Oversight Committee.

§ 120-70.80. Creation and membership of Joint Legislative Education Oversight Committee.

The Joint Legislative Education Oversight Committee is established. The Committee consists of 20 members as follows:

- (1) Ten members of the Senate appointed by the President Pro Tempore of the Senate, at least two of whom are members of the minority party; and
- (2) Ten members of the House of Representatives appointed by the Speaker of the House of Representatives, at least three of whom are members of the minority party.

Terms on the Committee are for two years and begin on the convening of the General Assembly in each odd-numbered year. Members may complete a term of service on the Committee even if they do not seek reelection or are not reelected to the General Assembly, but resignation or removal from service in the General Assembly constitutes resignation or removal from service on the Committee.

A member continues to serve until his successor is appointed. A vacancy shall be filled within 30 days by the officer who made the original appointment.

§ 120-70.81. Purpose and powers of Committee.

(a) The Joint Legislative Education Oversight Committee shall examine, on a continuing basis, the several educational institutions in North Carolina, in order to make ongoing recommendations to the General Assembly on ways to improve public education from kindergarten through higher education. In this examination, the Committee shall:

- (1) Study the budgets, programs, and policies of the Department of Public Instruction, the State Board of Education, the Department of Community Colleges, the Board of Governors of The University of North Carolina, and the constituent institutions of The University of North Carolina to determine ways in which the General Assembly may encourage the improvement of all education provided to North Carolinians and may aid in the development of more integrated methods of institutional accountability;
- (2) Examine, in particular, the Basic Education Plan and the School Improvement and Accountability Act of 1989, to determine whether changes need to be built into the plans, whether implementation schedules need to be restructured, and how to manage the ongoing development of the policies underlying these legislative plans, including a determination of whether there is a need for the legislature to develop ongoing funding patterns for these plans;
- (3) Study other states' educational initiatives in public schools, community colleges, and public universities, in order to provide an ongoing commentary to the General Assembly on these initiatives and to make recommendations for implementing similar initiatives in North Carolina; and

4) Study any other educational matters that the Committee considers necessary to fulfill its mandate.

(b) The Committee may make interim reports to the General Assembly on matters for which it may report to a regular session of the General Assembly. A report to the General Assembly may contain any legislation needed to implement a recommendation of the Committee.

§ 120-70.82. Organization of Committee.

(a) The President Pro Tempore of the Senate and the Speaker of the House of Representatives shall each designate a cochair of the Joint Legislative Education Oversight Committee. The Committee shall meet at least once a quarter and may meet at other times upon the joint call of the cochairs.

(b) A quorum of the Committee is 10 members. No action may be taken except by a majority vote at a meeting at which a quorum is present. While in the discharge of its official duties, the Committee has the powers of a joint committee under G.S. 120-19 and G.S. 120-19.1 through G.S. 120-19.4.

(c) Members of the Committee receive subsistence and travel expenses as provided in G.S. 120-3.1. The Committee may contract for consultants or hire employees in accordance with G.S. 120-32.02. The Legislative Services Commission, through the Legislative Services Officer, shall assign professional staff to assist the Committee in its work. Upon the direction of the Legislative Services Commission, the Supervisors of Clerks of the Senate and of the House of Representatives shall assign clerical staff to the Committee. The expenses for clerical employees shall be borne by the Committee.

§ 120-70.83. Additional powers.

The Joint Legislative Education Oversight Committee, while in discharge of official duties, shall have access to any paper or document, and may compel the attendance of any State official or employee before the Committee or secure any evidence under G.S. 120.19. In addition, G.S. 120-19.1 through G.S. 120-19.4 shall apply to the proceedings of the Committee as if it were a joint committee of the General Assembly.

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2001

U

D

BILL DRAFT 2001-RCz-2 [v.2] (01/22)

(THIS IS A DRAFT AND IS NOT READY FOR INTRODUCTION)

1/22/2001 11:14:14 AM

Short Title: Amend laws of ABCs of Public Education.

(Public)

Sponsors: .

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO ENACT THE RECOMMENDATIONS OF THE STATE BOARD OF
3 EDUCATION TO REVISE CERTAIN PROVISIONS RELATED TO THE ABC'S
4 PLAN FOR PUBLIC EDUCATION.
5

The General Assembly of North Carolina enacts:

SECTION 1. This act amends the law pertaining to the ABCs of Plan for Public Education.

SECTION 2. This act is effective when it becomes law.

